

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN WAYNE BONILLA,
Plaintiff,

v.

SANTA CLARA SUPERIOR COURT et.
al.,

Defendants.

Case Nos. [24-cv-0457-PJH](#)
[24-cv-0607-PJH](#)
[24-cv-0608-PJH](#)
[24-cv-0609-PJH](#)
[24-cv-0610-PJH](#)
[24-cv-0629-PJH](#)
[24-cv-0630-PJH](#)
[24-cv-0658-PJH](#)
[24-cv-0659-PJH](#)
[24-cv-0820-PJH](#)
[24-cv-0849-PJH](#)
[24-cv-0850-PJH](#)
[24-cv-0851-PJH](#)
[24-cv-1055-PJH](#)

**ORDER DISMISSING MULTIPLE
CASES WITH PREJUDICE**

Plaintiff, a state prisoner, has filed multiple pro se civil rights complaints under 42 U.S.C. § 1983. Plaintiff is a condemned prisoner who also has a pending federal habeas petition in this court with appointed counsel. See *Bonilla v. Ayers*, Case No. 08-0471 YGR. Plaintiff is also represented by counsel in state court habeas proceedings. See *In re Bonilla*, Case No. 20-2986 PJH, Docket No. 1 at 7.

Plaintiff presents nearly identical claims in these actions. He names as defendants various federal and state judges. He seeks relief regarding his underlying conviction or how his other cases were handled by the state and federal courts.

To the extent that plaintiff seeks to proceed *in forma pauperis* (IFP) in these cases, he has been disqualified from proceeding IFP under 28 U.S.C. § 1915(g) unless he is “under imminent danger of serious physical injury” at the time he filed his complaint. 28

United States District Court
Northern District of California

1 U.S.C. 1915(g); *In re Steven Bonilla*, Case No. 11-3180 CW; *Bonilla v. Dawson*, Case
2 No. 13-0951 CW.

3 The allegations in these complaints do not show that plaintiff was in imminent
4 danger at the time of filing. Therefore, he may not proceed IFP. Moreover, even if an
5 IFP application were granted, his lawsuits would be barred under *Heck v. Humphrey*, 512
6 U.S. 477, 486-87 (1994), *Younger v. Harris*, 401 U.S. 37, 43-54 (1971), *Demos v. U.S.*
7 *District Court*, 925 F.2d 1160, 1161-62 (9th Cir. 1991) or *Mullis v. U.S. Bankruptcy Court*,
8 828 F.2d 1385, 1393 (9th Cir. 1987). Accordingly, the cases are dismissed with
9 prejudice. The court notes that plaintiff has an extensive history of filing similar frivolous
10 cases.¹

11 Furthermore, these are not cases in which the undersigned judge's impartiality
12 might be reasonably questioned due to the repetitive and frivolous nature of the filings.
13 See *United States v. Holland*, 519 F.3d 909, 912 (9th Cir. 2008) (absent legitimate
14 reasons to recuse himself or herself, a judge has a duty to sit in judgment in all cases
15 assigned to that judge).²

16 The clerk shall terminate all pending motions and close these cases. The clerk
17 shall return, without filing, any further documents plaintiff submits in these closed cases.

18 **IT IS SO ORDERED.**

19 Dated: February 28, 2024

21 /s/ Phyllis J. Hamilton
22 PHYLLIS J. HAMILTON
23 United States District Judge

25 ¹ The undersigned is the fourth judge assigned cases filed by plaintiff. This is the 60th
26 order issued by the undersigned since April 30, 2020, pertaining to 800 different cases.
Plaintiff filed 962 other cases with the three other judges since 2011.

27 ² Plaintiff names the undersigned as defendant in three of these cases, though presents
no specific allegations. Case Nos. 24-cv-0630-PJH; 24-cv-0850 PJH; 24-cv-1055 PJH.
Plaintiff does not seek recusal, nor is recusal warranted in light of the frivolous nature of
the case.